

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 09-58739

SUSAN M. HARJU,

Chapter 13

Debtor.

Judge Thomas J. Tucker

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ORDER DENYING MOTION FOR RECONSIDERATION

This case comes before the Court on Debtor's "Motion for Reconsideration of Order Dismissing Case Under LBR 9024-1," filed on September 24, 2009 (Docket # 52, the "Motion"), which this Court construes as a motion for reconsideration of, and for relief from, the September 21, 2009 Order dismissing this case (Docket # 50), and

The Court having reviewed and considered the Motion, and

The Court finds the Motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

Further, the Court finds that the allegations in the Motion do not establish excusable neglect under Fed.R.Civ.P. 60(b)(1), FedR.Bankr.P. 9024, or any other valid ground for relief from the order dismissing this case.

In addition, the Court notes the following. The Court interprets the August 28, 2009 stipulation, and the accompanying text order adjourning the confirmation hearing (Docket ## 41, 42), to have required that if the Debtor was not 100% in her required pre-confirmation payments as of September 17, 2009 (which she admittedly was not,) Debtor had to provide proof of payments that would make her 100% in her payments, and that Debtor had to provide such proof no later than September 17, 2009 (which Debtor admittedly did not do.) The Motion does not

allege or demonstrate any good excuse for Debtor's failure to comply with these requirements.

The stipulation and accompanying text order also say that if these requirements were not met, the case shall be dismissed without further notice or hearing.

NOW, THEREFORE,

IT IS ORDERED that the Motion should be, and is, DENIED.

Signed on September 25, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge